

SENATE BILL 588

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2003 Regular Session  
3r2195  
CF HB 205

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By: **Senator Conway**  
Introduced and read first time: February 5, 2003  
Assigned to: Rules  
Re-referred to: Education, Health, and Environmental Affairs, February 7, 2003

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 17, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **State Board of Examiners for Audiologists, Hearing Aid Dispensers, and**  
3                                   **Speech-Language Pathologists - Membership and Scope of Authority**

4 FOR the purpose of specifying that provisions of law regulating audiologists, hearing  
5 aid dispensers, and speech-language pathologists do not limit the right of a  
6 physician to dispense hearing aids; decreasing the number of Board members to  
7 a certain number; providing for the termination of the term of office of certain  
8 board members; and generally relating to the composition and scope of authority  
9 of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and  
10 Speech-Language Pathologists.

11 BY repealing and reenacting, with amendments,  
12 Article - Health Occupations  
13 Section 2-102 and 2-202(a)  
14 Annotated Code of Maryland  
15 (2000 Replacement Volume and 2002 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Health Occupations**2 2-102.3 This title does not:4 (1) Limit the right of an individual to practice a health occupation that  
5 the individual is authorized to practice under this article;6 (2) Prohibit an individual from practicing any other profession that the  
7 individual is authorized to practice under the laws of this State; or8 (3) Limit the right of a physician who is authorized to practice medicine  
9 under the laws of the State to treat the human ear or TO fit OR TO DISPENSE hearing  
10 aids.

11 2-202.

12 (a) (1) The Board consists of [13] 11 members.

13 (2) Of the [13] 11 Board members:

14 (i) 3 shall be licensed audiologists who have at least 5 years' paid  
15 work experience in audiology;16 (ii) 3 shall be licensed speech-language pathologists who have at  
17 least 5 years' paid work experience in speech-language pathology;

18 [(iii) 2 shall be physicians who:

19 1. Are licensed to practice medicine in this State; and

20 2. Hold a certificate of qualification from the American  
21 Board of Otolaryngology;]22 [(iv) (III) 2 shall be consumer members, 1 of whom shall be hearing  
23 impaired; and24 [(v) (IV) 3 shall be licensed hearing aid dispensers who have at  
25 least 5 years' paid work experience in dispensing hearing aids.26 [(3) The Governor shall appoint the physician members, with the advice  
27 of the Secretary, from a list submitted to the Secretary and the Governor by the  
28 Maryland Society of Otolaryngology with the approval of the Medical and Chirurgical  
29 Faculty of the State of Maryland. There shall be at least 3 names on the list.]30 [(4) (3) The Governor shall appoint the speech-language pathologist  
31 members, with the advice of the Secretary, from a list submitted to the Secretary and  
32 the Governor by the Maryland Speech-Language and Hearing Association. The  
33 number of names on the list shall be at least 3 times the number of vacancies.

1            [(5)]    (4)    (i)    Subject to subparagraph (ii) of this paragraph, the  
2 Governor shall appoint the audiologist members, with the advice of the Secretary,  
3 from a list submitted to the Secretary and the Governor, jointly by the Maryland  
4 Academy of Audiology and the Maryland Speech-Language and Hearing Association.  
5 The number of names on the list shall be at least 3 times the number of vacancies.

6                            (ii)    For each audiologist vacancy, the Maryland Academy of  
7 Audiology and the Maryland Speech-Language and Hearing Association shall:

8                            1.        Notify by mail all licensed audiologists in the State of the  
9 vacancy to solicit nominations to fill the vacancy; and

10                            2.        Conduct a balloting process by mail by which every  
11 licensed audiologist in the State is eligible to vote on the names of the licensed  
12 audiologists to be submitted to the Secretary and the Governor.

13            [(6)]    (5)    The Governor shall appoint the hearing aid dispenser members,  
14 with the advice of the Secretary, from a list submitted to the Secretary and the  
15 Governor by the Maryland members of the Hearing Aid Specialist Association of  
16 Maryland, District of Columbia, and Delaware. The number of names on the list shall  
17 be at least 3 times the number of vacancies.

18            [(7)]    (6)    (i)    The Governor shall appoint the consumer members with  
19 the advice of the Secretary and the advice and consent of the Senate.

20                            (ii)    1.        The Governor shall appoint the hearing impaired  
21 consumer member from a list submitted to the Secretary and the Governor by the  
22 Governor's Office for Individuals with Disabilities.

23                            2.        The Governor's Office for Individuals with Disabilities  
24 shall solicit nominees from each of the hearing impaired associations in the State.

25    SECTION 2. AND BE IT FURTHER ENACTED, That the terms of office of  
26 the members of the State Board of Examiners for Audiologists, Hearing Aid  
27 Dispensers, and Speech-Language Pathologists appointed under § 2-202(a)(2)(iii) of  
28 the Health Occupations Article, or their successors selected to fill a vacancy, who are  
29 in office as of September 30, 2003 shall terminate on October 1, 2003.

30    SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take  
31 effect October 1, 2003.

